

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD H. SAMPLES,
Plaintiff,

v.

UNITED STATES SENATE,
Defendant.

Case No. [18-cv-06330-PJH](#)

ORDER OF DISMISSAL

Plaintiff, a detainee, has filed a civil rights action pursuant to 42 U.S.C. § 1983, however he did not pay the filing fee or submit a completed application to proceed in forma pauperis ("IFP"). Plaintiff was sent a notice that he had not paid the filing fee or applied for leave to proceed IFP; and he was allowed twenty-eight days to either pay the fee or file the completed application. A copy of the court's form for applications to proceed IFP was provided with the notice, along with a return envelope.

The twenty-eight days has passed, and plaintiff has not filed a completed application to proceed IFP, paid the filing fee or otherwise communicated with the court. This case is therefore **DISMISSED** without prejudice. The clerk shall close the file.

IT IS SO ORDERED.

Dated: January 29, 2019



PHYLLIS J. HAMILTON
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Plaintiff,

v.

UNITED STATES SENATE,
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CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 29, 2019, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Richard H. Samples
Idylwood Care Center Building 2 Room 85
1002 W. Fremont Avenue
Sunnyvale, CA 94087

Dated: January 29, 2019

Susan Y. Soong
Clerk, United States District Court

By: 
Kelly Collins, Deputy Clerk to the
Honorable PHYLLIS J. HAMILTON